IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO : 6078 of 2004

Between:

National Thermal Power Corporation, Ramagundam Super Thermal Power Station, Jyothinagar, Karimnagar. Rep. by its General Manager

Sri S.N. Banerjee,

..... PETITIONER

AND

1 Employees provident Fund Organization, Sub-Regional Office,

Balasamudram, Hanumakonda, Warangal, rep. by Asst. Provident

Fund Commissioner, A.P., Warangal / Recovery Officer.

2 Employees provident Fund Organization, Sub-Regional Office,

Balasamudram, Hanumakonda, Warangal, rep. by Asst. Provident

Fund Commissioner, (Penal Damages) SRO Warnagal.

3 The State Bank of Hyderabad, Ramagundam Branch,
Rep. by its Branch Manager.

4 Rajeswara Contractors and Engineers Annapurna Colony, NTPC
Jyothinagar - 505 215, Karimnagar District.

5 Yaseen and Company, Medipalli, NTPC
Jyothinagar - 505 215, Karimnagar District.

6 Sangha Erectors, B-46, Gouthaminagar,
Fertilizercity - 505 215, Karimnagar District.

7 B.R. Technics, H.No.4-5-236, Medipalli,
Jyothinagar - 505 215, Karimnagar District.

8 Kiran Electricals, Peddapalli,
Karimnagar District.

9 Noorie Engineers, H.No.13-33, FCI X Roads,
Jyothinagar - 505 215, Karimnagar District.
10 Y. Narapareddy, Krishnanagar,
Jyothinagar - 505 215, Karimnagar District.
11 V. Rajeswar Rao, H.No.2-3-113, Ambedkarnagar,
Ramgundam -505 218, Karimnagar District.
12 V.P. Vergheese, Qtr.No. B-70, Gouthaminagar,
Fertilizercity - 505 215, Karimnagar District.
13 G. Venkateswarlu, Medipalli,
Jyothinagar - 505 215, Karimnagar District.
14 Sahara Services, C/o. Mohd. Moosa, Qtr.No. SBI-31,
Fertilizercity - 505 215, Karimnagar District.
15 B.V. Ramana Rao, Annapurna Colony, NTPC
Jyothinagar - 505 215, Karimnagar District.
16 Thirupathi Enterprises, Qtr.No. B-21, Gouthaminagar,
Fertilizercity - 505 215, Karimnagar District.
17 Sree Rama Rao, Civil Contractor, Medipalli,
Jyothinagar - 505 215, Karimnagar District.
18 R.A.D. Cruze Engineering Works, Medipalli,
Jyothinagar - 505 215, Karimnagar District.
19 Sri Raja Rajeswara Swamy NTPC, Loiccs, Medipalli,
Jyothinagar - 505 215, Karimnagar District.
20 Maqbool Constructions, Medipalli,
Jyothinagar - 505 215, Karimnagar District.
21 R. Satyanarayana, H.No. 66-121, Swatantra Chowk,
Godavarikhani 505 209. Karimnagar District.
22 SSHV Labour Contractor, Co-operative Society,
Anthergaon - 505 214, Via Ramagundam,
Karimnagar District.
23 Make Safe Engineers, Aruna Clinic, Temple Road,
Ramagundam, Karimnagar District.
24 R.V. Narasinga Rao, Temple Road,
Ramagundam,. Karimnagar District.
25 drooshba Fabricators,
Jyothinagar - 505 215, Karimnagar District.
26 Unique Engineering Works, Medipalli,
Jyothinagar - 505 215, Karimnagar District.
27 Ganesh Constructions, A8/285, NTPC,
Jyothinagar - 505 215, Karimnagar District.
28 The NTPC Labour Contractor Cooperative Society Limited,

Narrashala Palli, Medipalli, Jyothinagar-505 215,

Karimnagar District.
29 S.R. Engineering Works, Gouthaminagar,
Fertilizercity - 505 215, Karimnagar District.
30 Surabhi Constructions, Medipalli,
Jyothinagar - 505 215, Karimnagar District.
31 P.S. Parameswaram, P.K. Ramaiah Colony,
Jyothinagar - 505 215, Karimnagar District.
32 T. Mallikarjuna Rao, D.No.813, Hanumanagar,
Godavarikhani 505 209.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ order or direction more particularly one in the nature of Writ of Mandamus, declaring the proceedings / letters numbers AP/SRO/WGL/PDCELL/8F/2003-2004/1964 dated 21-10-03/4-11-2003 imposing levy of damages and interest under EPF & MP Act of 1952 and its consequential prohibitory order dated 22-3-2004 directing the third respondent to pay Rs.656553/- by way of demand draft from and out of the bank accounts of the petitioner immediately without enforcing the orders claiming interest and penal damages against the respondents 4 to 32 who are statutorily liable as illegal, arbitrary in nature and the assessment order and consequential prohibitory orders U/s. & 7A, 7Q & 14 BPF Act are bad in law.

Counsel for the Petitioner: MS.G.SUDHA

Counsel for the Respondent Nos.1 & 2: MR. R.N. REDDY

Counsel for the Respondent Nos.3 to 32: None appeared

The Court made the following:

ORDER:

Ms. G, Sudha, learned Counsel for the petitioner seeks permission of this Court to withdraw the writ petition. Permission is accorded.

The writ petition is accordingly dismissed as withdrawn.

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September 30, 2004. **V.V.S. RAO, J**

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To

1 Employees provident Fund Organization, Sub-Regional Office,

Balasamudram, Hanumakonda, Warangal, rep. by Asst. Provident

Fund Commissioner, A.P., Warangal / Recovery Officer.

2 Employees provident Fund Organization, Sub-Regional Office,

Balasamudram, Hanumakonda, Warangal, rep. by Asst. Provident

Fund Commissioner, (Penal Damages) SRO Warnagal.

3 Two C.D. copies.